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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 08-0730 WHA

Plaintiff,

v.

IVAN CERNA, *et al.*

**ORDER RE DEFENSE NOTICE OF
ANTICIPATED ISSUES RE CALLING
GOVERNMENT INFORMANTS AND
COOPERATORS IN DEFENSE CASE**

Defendants.

If any defense counsel will call SF-1211 or any other government informant and/or cooperator not called by the government in its case-in-chief, counsel shall raise any anticipated issues in advance so that they may be addressed and resolved in time to avoid unnecessary delays to the proceedings.

For example, the parties were previously invited to provide guidance as to how the scenario would play out if SF-1211 was a witness for some, but not all, defendants and whether any adverse instruction should be given to the jury if SF-1211 asserts his Fifth Amendment privilege (Dkt. No. 2355). Although no party responded to that invitation, such issues must be raised well before the defense calls SF-1211 or any other witness implicating similar issues.

Dated: June 6, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE